

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Aletha Dillard,

Plaintiff, Case No. 20-cv-10951

v.

GM Equity Development, LLC and
Green W. Moss,

Judith E. Levy
United States District Judge

Mag. Judge Michael J.
Hluchaniuk

Defendants.

/

**ORDER REQUIRING PLAINTIFF'S COUNSEL
TO SUBMIT ATTORNEY FEES TIME RECORDS**

The parties to the above-captioned case have submitted a proposed settlement agreement in this matter involving claims under the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 *et seq.* (ECF No. 25-2.) In the proposed settlement, Plaintiff's counsel requests attorney fees and costs totaling \$91,666.67 (*see id.* at PageID.119–120), which “constitute 1/3 of the common fund.” (ECF No. 25, PageID.112.)

Upon receipt of a request for attorney fees and costs in an FLSA case, the Court must assess whether the request is reasonable using the lodestar calculation method and then adjusting the award as necessary

to suit the circumstances of the case. *See Smith v. Serv. Master Corp.*, 592 F. App'x 363 (6th Cir. 2014); *Rembert v. A Plus Home Health Care Agency LLC*, 986 F.3d 613, 616–17 (6th Cir. 2021) (stating that the “lodestar method yields a fee that is presumptively sufficient to achieve th[e] objective” of awarding a reasonable attorney fee to a prevailing plaintiff, as required by the FLSA, and that “a district court abuses its discretion if it limits the fees awardable under the FLSA to a percentage of the plaintiff’s recovery” (internal citation omitted)).

Accordingly, Plaintiff's counsel shall file billing records and a declaration or empirical data found in surveys and other reliable reports regarding fees customarily charged in the locality for similar legal services by Thursday, September 9, 2021, so that the Court may weigh the reasonableness of the agreed upon attorney fees and costs in advance of the hearing scheduled in this matter on Thursday, October 21, 2021.

IT IS SO ORDERED.

Dated: August 11, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 11, 2021.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager